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Viewing cable 06BOGOTA7460, GOC PEACE COMMISSIONER ON ELN, PARAMILITARIES AND

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Reference ID	Created	Released	Classification	Origin
06BOGOTA7460	2006-08-15 18:38	2011-08-30 01:44	CONFIDENTIAL	Embassy Bogota

Appears in these articles:

<http://www.nacion.com/2011-03-06/Investigacion/NotasDestacadas/Investigacion2702320.aspx>
<http://www.nacion.com/2011-03-06/Investigacion/NotaPrincipal/Investigacion2702324.aspx>
<http://www.nacion.com/2011-03-06/Investigacion/NotasSecundarias/Investigacion2702325.aspx>
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RUEHMD/AMEMBASSY MADRID IMMEDIATE 9278
RUEHNY/AMEMBASSY OSLO IMMEDIATE 0331
RUEHZP/AMEMBASSY PANAMA IMMEDIATE 9425
RUEHFR/AMEMBASSY PARIS IMMEDIATE 0909
RUEHQT/AMEMBASSY QUITO IMMEDIATE 4791
RUEHSJ/AMEMBASSY SAN JOSE IMMEDIATE 4074
RUEHSG/AMEMBASSY SANTIAGO IMMEDIATE 2113
RUEHUB/USINT HAVANA IMMEDIATE 0101
RUEHGV/USMISSION GENEVA IMMEDIATE 1369
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SUBJECT: GOC PEACE COMMISSIONER ON ELN, PARAMILITARIES AND
THE FARC

Classified By: Ambassador William B. Wood for reasons 1.4 (b) and (d)

1.(C) Summary: GOC Peace Commissioner Luis Carlos Restrepo told the Ambassador August 8 he would soon meet with ELN leader Antonio Garcia to deliver a bold peace proposal aimed at accelerating the ELN peace process. He urged the U.S. to insist that the ELN renounce violence and to call for justice for ELN members who had committed serious crimes. Such U.S. action would enhance the GOC's leverage in the ELN talks. On the paramilitaries, Restrepo said GOC issuance of implementing regulations for the Justice and Peace law*despite the high domestic and international political costs*would create an opportunity to consolidate the demobilization of paramilitary leaders and their organizations. Restrepo said GOC overtures to the FARC are subordinate to the GOC's democratic security strategy. The GOC believes the FARC is only interested in tactical talks at this time. End Summary

ELN

2.(C) Restrepo told the Ambassador August 8 he would soon meet discreetly with ELN leader Antonio Garcia to deliver an &audacious8 GOC peace proposal aimed at accelerating the ELN process. If Garcia reacts favorably, it will start a formal peace process. The GOC believes conditions are ripe for such an initiative, since the ELN's Central Command (COCE) recognizes it is increasingly losing control over its military fronts, is under growing Colombian military pressure, and faces a significant FARC threat. Some ELN fronts are becoming more involved in narcotrafficking; others are in danger of being absorbed by the FARC. The ELN cannot survive two years of desultory peace talks, Restrepo said. If the process dragged on, the ELN would disintegrate. Moreover, ELN leaders want very much to participate, in some form, in the October 2007 local elections. Since this would require two sessions of congress to approve a constitutional reform, there must be forward progress quickly.

3.(C) Restrepo said the GOC's peace proposal would focus on a cease-fire, disarmament, and the group's entry into the democratic political process. The ELN rejected the notion that the Justice and Peace Law would apply to its members. The GOC is not working on an alternative legal framework, but does not rule out the possibility. Restrepo said the GOC is not in a strong enough political position at the moment to insist that the justice issue be included. &If we cannot get the ELN to accept a ceasefire, how can we push for justice?8 he asked. The GOC is under no pressure from Colombian or international civil society, the European countries accompanying the process (Spain, Norway and Switzerland), or Colombian public opinion to raise justice issues with the ELN.

4.(C) Restrepo said the ELN's desire to participate in elections could help introduce the justice issue into the talks. ELN members who had committed human rights abuses could not hold office without constitutional reform. Congress would have to approve such a change, which could trigger a public debate over the appropriate punishment for ELN members.

5.(C) Restrepo said the designation of the ELN as a terrorist group by the U.S. and the European Union (EU) gives the

international community some leverage over the group. The ELN wants to get off the terrorist lists and to be viewed as a legitimate political actor. Restrepo urged the U.S. to insist that the ELN renounce violence and to call for justice for ELN members who have committed serious crimes. He also asked that the U.S. coordinate such a stance with the EU. This would enhance the GOC,s bargaining position, and would put the justice issue on the negotiating table.

6.(C) Restrepo said that despite the ELN,s weakness, negotiations with the group would not be easy. The ELN is &a

group of kidnappers with good public relations.8 & They have a kidnappers, mentality of give me, give me, give me,8 Restrepo declared. Still, if all went well, the next round of talks*while not yet scheduled*would occur in Havana. It would be a mistake to accede to the ELN,s wish that the talks shift to Europe without first arriving at basic agreements, Restrepo said.

Paramilitary Process

7.(C) Restrepo said the paramilitary process aims to take down the paramilitary (para) leaders and their organizations in a slow, step-by-step fashion. It is key to keep the paras at the negotiating table. The process almost broke down after the Constitutional Court,s May 19 press release outlining its ruling on the Justice and Peace Law (Law 975). Many paras asserted that given the ruling, their signatures on the Law 975 list of paras seeking the law,s benefits are no longer valid. Para leader Ernesto Baez had urged para commander El Aleman not to demobilize his forces due to the ruling, but Aleman had ignored the request. Still, the process remains fragile. Restrepo said the collapse of the para process would be a disaster. It would radicalize mid-level commanders, lead to renewed violence, and undermine any ELN process.

8.(C) Restrepo said the next step is for the GOC to issue implementing regulations clarifying the Constitutional Court,s ruling on Law 975. He acknowledged the regulations would be controversial and that the GOC would pay a high domestic and international political cost. Still, the issuance of the regulations was key, since it would give the GOC the political strength to hand over the Law 975 list of paramilitaries to the Prosecutor General (Fiscalia). If the paras continued to object to the list, the GOC would be in a strong political position to go after them militarily. If the paras acquiesced, the Law 975 process would start in terms of both truth and reparations. This would create a new political dynamic, and would offer an opportunity to consolidate the demobilization of para leaders and their organizations. It would also involve the Fiscalia in the process.

9.(C) Asked about Costa Rican President Oscar Arias, meeting with paramilitary leaders in San Jose on August 4, Restrepo said there was almost no prior coordination with the GOC. The Costa Rican Foreign Ministry had called Restrepo the day before the meeting to inform him that 20 paramilitary leaders would meet with Arias in San Jose. The GOC objected, and in the end, only four paras traveled to Costa Rica. Restrepo said in a follow-up meeting with President Uribe in Bogota after the inauguration, it was clear that Arias, overture to the paras was designed to give the Costa Rican President a role in the GOC,s peace efforts with the ELN and FARC as well. The GOC would resist such a move. Still, the GOC appreciated that the paras, meeting with Arias had enhanced the credibility of the para process. In addition, the Fundacion Arias has agreed to provide some technical assistance to the process.

FARC

10.(C) Restrepo said President Uribe is quietly conveying to the FARC his willingness to talk through the Catholic Church, international community (Spain, France and Switzerland), and local interlocutors such as Alvaro Leyva and Carlos Lozano.

The GOC also has its own direct channel to the group. He said the GOC has no illusions the FARC will respond positively in the near term, but it suits the GOC,s interests to be perceived as leaving a door open to the group. Still, the peace initiative is subordinate to the GOC,s democratic security policy. The GOC,s overtures to the FARC are &a skirmish we need to win to advance our military goals.⁸ Restrepo said the GOC would not make a public offer to either the FARC or ELN to avoid putting

pressure on itself.

11.(C) Restrepo said the FARC continues to take an "arrogant" approach to the GOC, conditioning the start of broad peace talks on GOC demilitarization of two departments*Caqueta and Putumayo. The FARC apparently envisions these departments enjoying only a loose territorial association to Colombia. He said the FARC is alarmed by U.S. indictments of over 50 FARC leaders, and will seek a no-extradition commitment from the GOC and the U.S. in any process. Still, at the moment, FARC leaders believe they have absorbed the Colombian military,s best punch and are still standing. They feel no pressure to engage in more than tactical discussions. Restrepo speculated that the Colombian military would need to kill or capture one or two secretariat members before the FARC would consider serious peace discussions.

WOOD